13 February 2002

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Ad Hoc Committee on an International Convention against the Reproductive Cloning of Human Beings
25 February-1 March 2002

List of issues that may be addressed in the Convention

Proposal submitted by France and Germany

1. The General Assembly decided in its resolution 56/93, paragraph 3, that the Ad Hoc Committee established by the resolution shall, in the framework of considering the elaboration of a mandate for the negotiation of an international convention to prohibit the reproductive cloning of human beings, be provided with a list of legal issues to be addressed in the convention. To facilitate negotiations, France and Germany would like to submit the following ideas. They are not to be understood as taking a position on the issues listed or on the final wording of the future convention.

2. Proposed list of legal issues to be addressed in the convention:

(a) *Considerations and purposes*
The convention may wish to explain its considerations and purposes. It may also address the possibility for States parties to adopt stricter national regulations.

(b) *Definitions*
According to the usual practice, definitions of technical terms may be given to the extent that they are useful for the clarification of the articles of the convention.

(c) *Prohibition of reproductive cloning of human beings*
Under this issue, the prohibition of the reproductive cloning of human beings would be specified.

(d) *National implementation*
A provision on national implementation could deal with the translation of the convention into the national sphere.

(i) *Sanctions*. Under this issue, the question could be addressed of how violations of the prohibition of the reproductive cloning of human beings should be sanctioned by States parties.

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(ii) *Material gains*. Under this issue, the question of material gains derived from the reproductive cloning of human beings could be addressed.

(e) *Preventive measures*
Under this issue, the question of whether and how States parties should take preventive measures, including in the field of research, could be addressed.

(f) *Reporting and monitoring mechanism*
Here, it could be discussed whether and how national implementation would be monitored.

(g) *Assistance for implementation*
There could be a need to assist States parties in their national implementation of the convention.

(h) *Final clauses*
Consideration should be given to the final clauses of the convention.